

## **EXHIBIT B**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BRIAN J. LYNGAAS, D.D.S., P.L.L.C.,	)	
individually and on behalf of all others	)	
similarly-situated,	)	Civil Action No. 20-2370
	)	
Plaintiff,	)	Hon. Nitza I. Quiñones
	)	Alejandro
v.	)	
	)	PUTATIVE CLASS ACTION
IQVIA, INC.,	)	
	)	
Defendant.	)	

**DECLARATION OF MOLLY E. STEMPER**

I, Molly Stemper, declare as follows:

1. I am an attorney admitted to practice before this Court. I am a litigation associate at the law firm of Bock Hatch & Oppenheim, LLC, and have appeared in this case as counsel for plaintiff Brian J. Lyngaas, D.D.S., P.L.L.C., ("Plaintiff"). I have personal knowledge of the matters stated in this declaration. I can and will testify competently about the following if called upon to do so.

2. In this TCPA junk fax litigation, Jordan Ferguson was identified as one of Defendant's employees involved with the transmission of faxes at issue. He was deposed in this matter on September 1, 2021.

3. On March 23, 2022, at 10:04 p.m. ET, I and others received an email from Tiffany Cheung, defense counsel in this matter, advising:

Jordan Ferguson is no longer employed by IQVIA. Following that decision, Mr. Ferguson informed IQVIA that he would not stand by his deposition testimony, and therefore IQVIA will not be relying on his testimony to support IQVIA's defenses in this action.

Exhibit 1.

4. On March 24, 2022, at 2:59 p.m. ET, my colleague Jonathan B. Piper responded to defense counsel's March 23 email with the following follow up questions:

- (1) Does IQVIA object to our communicating with Mr. Ferguson?
- (2) We would request any documentation (or privilege log) concerning his informing IQVIA that he "would not stand by his deposition testimony," and can serve a formal request for that, but wonder how long it will take to provide that documentation given the upcoming discovery cutoff.
- (3) Will you agree to leave discovery open for the purpose of obtaining that documentation and resuming his deposition once the documents are provided.

Exhibit 2.

5. On March 24, 2022, between 10:10 p.m. and 10:22 p.m., I visited Jordan Ferguson's public LinkedIn profile and recorded the following screenshot.

The screenshot shows a LinkedIn profile page for Jordan Ferguson. On the left, there is a sidebar with his profile picture, name, title (Sr Database Analyst at ImpactRx), and follower count (234). A 'Message' button is also present. On the right, the main area displays 'Jordan's Activity'. It shows a post from him asking a question about ethical behavior in the workplace. The post has options to 'Like', 'Comment', 'Share', and 'Send'. Below the post, there is a placeholder text 'Be the first to react'.

6. A full, screenshotted copy of Mr. Ferguson's LinkedIn profile as it appeared at 10:22 p.m. on March 24, 2022, is attached hereto as Exhibit 3.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: March 15, 2022

/s/ *Molly E. Stemper*

Molly E. Stemper

# **EXHIBIT 1**

## Molly Stemper

---

**From:** Cheung, Tiffany <TCheung@mofo.com>  
**Sent:** Wednesday, March 23, 2022 9:04 PM  
**To:** Jon Piper; Molly Stemper  
**Cc:** Edward Eberspacher (teberspacher@meyerlex.com); Lau, Bonnie; Framroze, Camille  
**Subject:** Lyngaas v. IQVIA

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jon and Molly,

We write to advise that Jordan Ferguson is no longer employed by IQVIA. Following that decision, Mr. Ferguson informed IQVIA that he would not stand by his deposition testimony, and therefore IQVIA will not be relying on his testimony to support IQVIA's defenses in this action.

### TIFFANY CHEUNG

Partner | Morrison & Foerster LLP  
425 Market St. | San Francisco, CA 94105  
P: +1 (415) 268-6848  
[mofo.com](http://mofo.com) | [LinkedIn](#) | [Twitter](#)

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## **EXHIBIT 2**

## Molly Stemper

---

**From:** Jon Piper  
**Sent:** Thursday, March 24, 2022 2:59 PM  
**To:** Cheung, Tiffany; Molly Stemper  
**Cc:** Edward Eberspacher ([teberspacher@meyerlex.com](mailto:teberspacher@meyerlex.com)); Lau, Bonnie; Framroze, Camille; Phil Bock; [rshenkan@shenkanlaw.com](mailto:rshenkan@shenkanlaw.com)  
**Subject:** Re: Lyngaa v. IQVIA

Tiffany -

Thank you for the update on Mr. Ferguson. Some follow up questions:

1. Does IQVIA object to our communicating with Mr. Ferguson?
2. We would request any documentation (or privilege log) concerning his informing IQVIA that he "would not stand by his deposition testimony," and can serve a formal request for that, but wonder how long it will take to provide that documentation given the upcoming discovery cutoff.
3. Will you agree to leave discovery open for the purpose of obtaining that documentation and resuming his deposition once the documents are provided.

---

**From:** Cheung, Tiffany <[TCheung@mofo.com](mailto:TCheung@mofo.com)>  
**Sent:** Wednesday, March 23, 2022 10:04 PM  
**To:** Jon Piper <[Jonathan@classlawyers.com](mailto:Jonathan@classlawyers.com)>; Molly Stemper <[molly@classlawyers.com](mailto:molly@classlawyers.com)>  
**Cc:** Edward Eberspacher ([teberspacher@meyerlex.com](mailto:teberspacher@meyerlex.com)) <[teberspacher@meyerlex.com](mailto:teberspacher@meyerlex.com)>; Lau, Bonnie <[BLau@mofo.com](mailto:BLau@mofo.com)>; Framroze, Camille <[CFrame@mofo.com](mailto:CFrame@mofo.com)>  
**Subject:** Lyngaa v. IQVIA

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jon and Molly,

We write to advise that Jordan Ferguson is no longer employed by IQVIA. Following that decision, Mr. Ferguson informed IQVIA that he would not stand by his deposition testimony, and therefore IQVIA will not be relying on his testimony to support IQVIA's defenses in this action.

### TIFFANY CHEUNG

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## **EXHIBIT 3**

Screenshots taken between 10:10 and 10:22 PM on March 24, 2022

The screenshot shows a LinkedIn profile page for Jordan Ferguson. At the top, there's a navigation bar with icons for Proof, Notion, Trello!, IPSY, Cora, Dollar Shave Club, Flavia, Function of Molly, PDF Split, and PDF DeD. Below the bar, the LinkedIn logo and a search bar are visible. The main profile area features a large placeholder image for a profile picture. Below the image, the name "Jordan Ferguson" is displayed with a "3rd" connection indicator. To the right, the company "ImpactRx" is listed with its logo. The profile summary includes "Sr Database Analyst at ImpactRx" and "Huntington Station, New York, United States". A "Contact info" link is also present. The "Connections" section shows "234 connections". Below this, two buttons are visible: "Message" and "More".

**Activity**  
234 followers

Jordan Ferguson posted this • 2d  
What do you do when your questioning if what you did for you boss was ethical. Better yet what do you do when your boss treated you differently for years?

Jordan Ferguson commented on a post • 2w  
True

5 comments

2 comments

Show all activity →

**Experience**

Sr Database Analyst  
ImpactRx  
Feb 2004 - Present • 18 yrs 2 mos

**Skills**

Pharmaceutical Industry • 11  
Linda Collins has given an endorsement for this skill

Screenshots taken between 10:10 and 10:22 PM on March 24, 2022

 Jordan Ferguson  
Sr Database Analyst at ImpactRx

← Skills

All Industry Knowledge Interpersonal Skills

**Pharmaceutical Industry** · 11  
Linda Collins has given an endorsement for this skill

---

**Market Research** · 8  
 Endorsed by 3 colleagues at ImpactRx

---

**Data Analysis** · 6  
 Endorsed by Leslie McCoy who is highly skilled at this  
 Endorsed by 2 colleagues at ImpactRx

---

**Analytics** · 6

---

**Competitive Intelligence** · 5

---

**Market Analysis** · 2

---

**Lifesciences** · 2

---

**Sales Effectiveness** · 2

---

**Marketing Strategy** · 2

---

**Segmentation** · 2

---

**Competitive Analysis** · 2

---

**Oncology** · 1

---

**Project Management** · 1

---

**Strategy** · 1

---

**Business Intelligence** · 1

---

...

Screenshots taken between 10:10 and 10:22 PM on March 24, 2022

Jordan Ferguson  
Sr Database Analyst at ImpactRx

---

Analytics · 0

Competitive Intelligence · 5

Market Analysis · 2

Lifesciences · 2

Sales Effectiveness · 2

Marketing Strategy · 2

Segmentation · 2

Competitive Analysis · 2

Oncology · 1

Project Management · 1

Strategy · 1

Business Intelligence · 1

Cross-functional Team Leadership

Marketing Research

Management

Product Launch

## LinkedIn

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Advertising

Small Business

Questions?  
Visit our Help Center.

Manage your account and privacy  
Go to your Settings.

LinkedIn Corporation © 2022

Screenshots taken between 10:10 and 10:22 PM on March 24, 2022



Jordan Ferguson  
Sr Database Analyst at ImpactRx

## Skills

### Pharmaceutical Industry · 11

Linda Collins has given an endorsement for this skill

### Market Research · 8

Endorsed by 3 colleagues at ImpactRx

### Data Analysis · 6

Endorsed by Leslie McCoy who is highly skilled at this

Endorsed by 2 colleagues at ImpactRx

Show all 19 skills →

## Recommendations

Received

Given



### Christina Bergin · 3rd

"It is 'where we are' that should make all the difference, whether we believe we belong there or not." Chang-Rae Lee

September 25, 2013, Jordan worked with Christina but on different teams

Christina Bergin excelled in her position as Administrative Manager at ImpactRx.

## Interests

Influencers

Companies

Groups

Schools



### Daymond John · 3rd

CEO of FUBU and The Shark Group, TV Personality on ABC Shark Tank, Public Speaker  
2,496,072 followers

[+ Follow](#)



### Mark Cuban · 3rd

President  
7,399,735 followers

[+ Follow](#)

Show all 5 influencers →

Screenshots taken between 10:10 and 10:22 PM on March 24, 2022

 Jordan Ferguson  
Sr Database Analyst at ImpactRx

← Interests

Influencers Companies Groups Schools

---

 **Mark Cuban**  · 3rd  
President  
7,399,737 followers  
[+ Follow](#)

---

 **Daymond John**  · 3rd  
CEO of FUBU and The Shark Group, TV Personality on ABC Shark Tank, Public Speaker  
2,496,085 followers  
[+ Follow](#)

---

 **Bill Gates**  · 3rd  
Co-chair, Bill & Melinda Gates Foundation  
35,476,927 followers  
[+ Follow](#)

---

 **Tim Tebow**  · 3rd  
Follower of Jesus Christ, 5x NYT Best-Selling Author, 2x National Champion, Heisman Trophy Winner, Founder & Chairman of the Tim Tebow Foundation, and ESPN Analyst.  
1,507,730 followers  
[+ Follow](#)

---

 **Gretchen Rubin**  · 2nd  
Bestselling writer about habits and happiness at gretchenrubin.com  
3,002,761 followers  
[+ Follow](#)



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Screenshots taken between 10:10 and 10:22 PM on March 24, 2022

Jordan Ferguson  
Sr Database Analyst at ImpactRx

## ← Interests

Influencers   **Companies**   Groups   Schools

---

 **Pfizer**  
4,649,325 followers  
[+ Follow](#)

---

 **Novartis**  
3,041,859 followers  
[+ Follow](#)

---

 **Roche**  
2,559,424 followers  
[+ Follow](#)

---

 **Abbott**  
2,718,651 followers  
[+ Follow](#)

---

 **Sanofi**  
3,080,384 followers  
[+ Follow](#)

---

 **Harvard Business Review**  
13,405,862 followers  
[+ Follow](#)

---

 **Eli Lilly and Company**  
1,265,348 followers  
[+ Follow](#)

---

 **Bristol Myers Squibb**  
998,064 followers  
[+ Follow](#)

Screenshots taken between 10:10 and 10:22 PM on March 24, 2022

Jordan Ferguson  
Sr Database Analyst at ImpactRx

---

 Bristol Myers Squibb  
998,064 followers  
+ Follow

---

 Bayer | Pharmaceuticals  
1,619,776 followers  
+ Follow

---

 Amgen  
897,085 followers  
+ Follow

---

 Novo Nordisk  
1,215,350 followers  
+ Follow

---

 Boehringer Ingelheim  
1,360,977 followers  
+ Follow

---

 Biogen  
652,566 followers  
+ Follow

---

 Forbes  
17,543,382 followers  
+ Follow

---

 Regeneron  
312,819 followers  
+ Follow

---

 ImpactRx  
760 followers  
+ Follow

Screenshots taken between 10:10 and 10:22 PM on March 24, 2022

Jordan Ferguson  
Sr Database Analyst at ImpactRx

---

 ImpactRx  
760 followers  
+ Follow

---

 NYC Health + Hospitals  
99,821 followers  
+ Follow

---

 Cipla  
832,160 followers  
+ Follow

---

 PSEG  
58,963 followers  
+ Follow

---

 Sacred Heart University  
56,038 followers  
+ Follow

---

 Regulatory Affairs Professionals Society (RAPS)  
122,260 followers  
+ Follow

---

 AbbVie  
879,175 followers  
+ Follow

---

 Lehigh Valley Business  
5,872 followers  
+ Follow

---

 AlphaImpactRx  
449 followers

Screenshots taken between 10:10 and 10:22 PM on March 24, 2022

Jordan Ferguson  
Sr Database Analyst at ImpactRx

---

 **AlphaImpactRx**  
449 followers  
+ Follow

---

 **OneChronos**  
315 followers  
+ Follow

---

 **Pharma Jobs (Pharma Wisdom Jobs)**  
344,029 followers  
+ Follow

---

 **The Cyber Security Hub™**  
1,388,262 followers  
+ Follow

---

 **Pharma Job ( Pharma Growth Portal )**  
375,573 followers  
+ Follow

---

 **TEDx**  
838,488 followers  
+ Follow

---

 **Pharma Job Portal**  
201,324 followers  
+ Follow

---

 **Pharma Jobs Post**  
171,351 followers  
+ Follow

---

**LinkedIn**

Screenshots taken between 10:10 and 10:22 PM on March 24, 2022

 **Jordan Ferguson**  
Sr Database Analyst at ImpactRx

## Skills

**Pharmaceutical Industry** · 11  
Linda Collins has given an endorsement for this skill

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 Endorsed by Leslie McCoy who is highly skilled at this  
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---

[Show all 19 skills →](#)

## Recommendations

[Received](#)    [Given](#)

---

**Nothing to see for now**  
Recommendations that Jordan receives will appear here.

## Interests

Influencers    Companies    **Groups**    Schools

---

 **Oncology Marketers**  
4,567 members

Screenshots taken between 10:10 and 10:22 PM on March 24, 2022



Jordan Ferguson  
Sr Database Analyst at ImpactRx

## Skills

### Pharmaceutical Industry · 11

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Endorsed by 3 colleagues at ImpactRx

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Endorsed by 2 colleagues at ImpactRx

Show all 19 skills →

## Recommendations

### Received

### Given

### Nothing to see for now

Recommendations that Jordan receives will appear here.

## Interests

Influencers

Companies

Groups

Schools



Sacred Heart University

56,038 followers

+ Follow